

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

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ELAINE L. CHAO, Secretary of Labor,  
United States Department of Labor

Plaintiff

v.

CIVIL ACTION  
FILE NO. 05-10092-PBS

JOSEPH P. ZOPPO,  
Trustee of the I/O Desktop Specialists, Inc.  
Retirement Plan

Defendant

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JOINT REPORT REGARDING RULE 26(f) CONFERENCE

The parties, by Counsel, conferred by telephone on May 20, 2005, pursuant to Federal Rule of Civil Procedure 26(f).

The parties have discussed the merits of the case, have had several settlement discussions and agree to continue to attempt to settle this matter.

Defendant, without admitting or denying the allegations in this matter, states that he is willing to pay the amount he understands to be at issue in full (approximately \$8,000.00). Defendant is requesting that Plaintiff withdraw and / or dismiss the case rather than dispose of it via a judgment that will further damage Defendant's credit and remain on his credit report for many years to come.

Plaintiff is seeking a monetary judgment and injunctive relief. Such relief requires a Consent Judgment. As a practice, the Plaintiff does not dismiss cases. Plaintiff has no

information regarding how or if a Judgment (particularly when paid) will affect Defendant's credit.

The parties are willing to attempt to dispose of this matter by evaluating alternative dispute resolution.

The parties propose and agree to the following Discovery Plan:

The parties agree to exchange the disclosure required by Rule 26(a) within twenty-one days of the date of the conference.

All Parties shall be joined by July 1, 2005.

All Depositions shall be completed before August 30, 2005.

All other forms of Discovery shall be served on or before August 30, 2005.

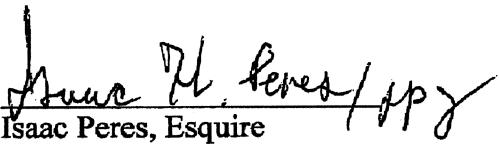
The Parties are not planning to introduce expert testimony.

Summary Judgment Motions shall be filed on or before September 30, 2005.

A Joint Pretrial Memorandum shall be filed by October 15, 2005 unless a Summary Judgment Motion has been filed that could dispose of the matter and the Court extends time to file the Pretrial Memorandum upon Motion by the Party filing the Summary Judgment Motion. A schedule for Pretrial Motions shall be included in the Pretrial Memorandum.

Respectfully Submitted,

*Marjorie A. Butler*  
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